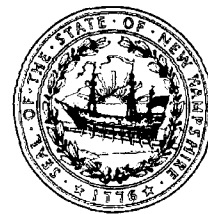




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

May 16, 2006

**CERTIFIED MAIL RETURN RECEIPT**  
**7099 3400 0018 1291 0297**

**LETTER OF DEFICIENCY**  
**No. WMD 06-012**

Richard DesRosiers  
Piscataqua Transportation  
583 Old Portsmouth Ave.  
Greenland, NH 03840

**Subject Site: GREENLAND - Piscataqua Trans, 583 Old Portsmouth Ave.**  
**DES #199902015, PROJECT #6379**

Dear Mr. DesRosiers:

On March 31, 2006, personnel from the Department of Environmental Services, Waste Management Division (DES) conducted an inspection of Piscataqua Transportation (Piscataqua) located at 583 Old Portsmouth Ave., Greenland (Site). The purpose of this inspection was to determine Piscataqua's compliance status relative to RSA 147-A and RSA 149-M and rules adopted pursuant thereto relative to the management of hazardous wastes and solid wastes.

As a result of the inspection, the following deficiencies were documented:

1. Env-Wm 502.01 – Hazardous Waste Determination

At the time of the inspection, a 55-gallon container with unidentified contents and a 1-pint container with unidentified contents were observed behind the garage.

At the time of the inspection, several areas of stained soils were observed. These stained soils represent a potential discharge of hazardous waste that requires the party to clean up the discharge.

Env-Wm 502.01 requires that generators of waste conduct a hazardous waste determination.

DES requests that Piscataqua identify the contents of all containers at the site and on areas of stained soils.

2. Env-Wm 507.01(f) – Storage Requirements

At the time of the inspection, the 55-gallon container and the 1-pint container referenced in Item 3 above were stored within 50 feet of surface waters.

Env-Wm 507.01(f) states hazardous waste stored outdoors shall not be stored within 50 feet of surface waters.

DES requests that Piscataqua cease storage of hazardous wastes within 50 feet of surface waters.

3. Env-Wm 507.03 – Storage Requirements

At the time of the inspection, the 55-gallon container referenced in Item 3 above was not labeled and the 1-pint container referenced in Item 3 above had an illegible label.

Env-Wm 507.03(a)(1) requires that generators of waste shall clearly label all containers. .

DES requests that Piscataqua label all waste containers at the site.

4. Env-Wm 807.06(b)(4) – Standards for Generators of Used Oil Being Recycled

At the time of the inspection, one 5-gallon container located in the garage, managed as used oil for recycle, was not labeled with the words "Used Oil for Recycle." A 275-gallon tank located in the garage containing used oil was not clearly labeled.

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling clearly label their containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requests that Piscataqua label all containers and tanks of used oil destined for recycling with the words "Used Oil for Recycle" at all times during accumulation and storage.

5. Env-Wm 807.06(b)(5) – Standards for Generators of Used Oil Being Recycled

At the time of the inspection, one 55-gallon container, a 275-gallon tank and one 5-gallon container located in the garage, managed as used oil for recycle, were not closed.

Env-Wm 807.06(b)(5) requires that used oil be placed in containers that remain closed at all times, except to add or remove wastes.

DES requests that Piscataqua keep all containers and tanks of used oil closed at all times except to add or remove used oil. Safety funnels that thread into the bung and have closeable lids that seal are acceptable for this purpose.

6. Env-Wm 1102.03(b) – General Requirements for Universal Waste Handlers

At the time of the inspection, a 55-gallon container labeled as antifreeze was stored inside the garage. This drum was not accessible due to the items piled around it. Antifreeze to be recycled may be handled as a universal waste.

Env-Wm 1102.03(b) requires universal waste be managed in a way that prevents release of the universal waste to the environment.

DES requests that Piscataqua maintain clear area around container(s) of Universal waste

antifreeze allowing ease of inspection for spills.

7. Env-Sw 905.02(b)(3)c – Tires

At the time of the inspection, tires were stored outside in piles not surrounded by a fire lane.

Env-Sw 905.02(b)(3)c requires a fire lane no less than 25 feet in width be maintained around each tire pile.

DES requests that Piscataqua maintain fire lanes around all tire piles.

8. Env-Sw 905.02(b)(3)d – Tires

At the time of the inspection, tires were stored outside in piles without a 12 inch berm around pile perimeters.

Env-Sw 905.02(b)(3)d requires each pile of tires to have a 12 inch berm constructed around the pile perimeters.

DES requests that Piscataqua maintain 12-inch berm around all tire piles.

9. RSA 149-M:9 II – Permits Required

At the time of the inspection, material identified by Piscataqua personnel as used sand blast grit was observed on a tarp at the rear of the facility. Used sand blast grit constitutes solid waste. There were also tarps in the wetlands at the rear of the facility.

RSA 149-M:9 II states in part that it shall be unlawful to dispose of solid wastes at any facility other than an approved facility.

DES requests that Piscataqua properly dispose of the used sand blast grit and tarps as solid waste at an approved facility.

DES believes that the cited deficiencies can be corrected and a report describing the corrective measures taken by Piscataqua can be submitted within 45 days of receipt of this letter. Supporting documentation that describes the measures taken to achieve compliance should be included with the report.

In the event compliance is not achieved within this period, DES may take further action against Piscataqua including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the New Hampshire Department of Justice for imposition of civil penalties. In addition, DES personnel may re-inspect your facility at a later date to determine whether the facility has come into, and is maintaining, full compliance with applicable rules. Fines may be pursued for any or all violations observed during this or subsequent inspections of the facility.

The written report as requested above should be addressed as follows:

Cheryl McGary, Waste Management Specialist  
State of New Hampshire Department of Environmental Services  
Coastal Office  
50 International Drive Suite 200  
Portsmouth, New Hampshire 03801

The State of New Hampshire Hazardous Waste Rules, Solid Waste Rules, as well as much other useful information can be obtained from DES's website at <http://www.des.state.nh.us>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES is to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. If you have any questions about pollution prevention, please contact Ms. Stephanie D'Agostino at 271-6398.

Should you have any questions regarding this letter, please contact Cheryl McGary at (603) 559-1506. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "George Lombardo", is written over a large, bold, outlined word "COPY".

George Lombardo, Administrator  
Oil Remediation and Compliance Bureau  
Tel: (603) 271-3645  
Fax: (603) 271-2181  
[glombardo@des.state.nh.us](mailto:glombardo@des.state.nh.us)

cc: Anthony P. Giunta, P.G., Director, WMD  
Fred McGarry, Administrator, WMD  
Gretchen Hamel, Administrator, DES Legal Unit  
Greenland Town Clerk, NH  
Wallace Berg, Greenland Health Officer  
S. D'Agostino, DES